

FILED

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS DIVISION**

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CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS, FLORIDA

**SEREFEX CORPORATION,**

**Plaintiff,**

**-vs-**

**Case No. 2:08-cv-692-FtM-29DNF**

**HICKMAN HOLDINGS, LP, CHRESSIAN,  
LLC, THE D'ANZA FAMILY TRUST,  
BILTMORE INVESTMENTS, LTD jointly  
and severally,**

**Defendants.**

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**REPORT AND RECOMMENDATION**

**TO THE UNITED STATES DISTRICT COURT**

This matter comes before the Court on the Order (Doc. #81) entered by the Honorable John E. Steele, United States District Judge. In that Order, Judge Steele allowed the Defendants, Hickman Holdings, LP, Chressian, LLC, and The D'Anza Family Trust additional time to retain counsel to represent them and to file answers or other responses to the Second Amended Complaint through counsel. The Court reviewed the docket and finds that no notice of appearance by counsel was made for these Defendants and no responses were filed to the Second Amended Complaint. In a prior Order (Doc. #79) entered on February 24, 2010, Judge Steele required the Defendants, Hickman Holdings, LP, Chressian, LLC, and The D'Anza Family Trust to retain counsel within twenty-one (21) days from the date of the Order (Doc. #79). In that Order (Doc. #79), the Court cited to 28 U.S.C. §1654, and United States v. Blake Med. Ctr., 8:01-cv-844-T-23MSS, 2003 WL 21004734, \*1 (M.D. Fla. 2003) for the proposition that partnerships, corporations and trusts may appear in federal court through

licensed attorneys only. The Court cautioned these parties that if they failed to retain counsel within this time period, the Court would enter defaults against them. Due to Hickman Holdings, LP, Chressian, LLC, and The D'Anza Family Trust failing to retain counsel, failing to respond to the Second Amended Complaint, and failing to comply with the Orders (Doc. #79 and #81), the Court will recommend that the Clerk enter defaults against these entities.

**IT IS RESPECTFULLY RECOMMENDED:**

That the Clerk be directed to enter defaults against Hickman Holdings, LP, Chressian, LLC, and The D'Anza Family Trust.

Failure to file written objections to the proposed findings and recommendations contained in this report within fourteen (14) days from the date of its filing shall bar an aggrieved party from attacking the factual findings on appeal.

Respectfully recommended in Chambers in Ft. Myers, Florida this 20<sup>th</sup> day of April, 2010.



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Gustave J. DiBianco  
United States Magistrate Judge

Copies: All Parties of Record